

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>JEREMY W. FAITH (State Bar No. 190647) Jeremy@MarguliesFaithLaw.com MEGHANN TRIPLETT (State Bar No. 268005) Meghann@MarguliesFaithLaw.com MARGULIES FAITH, LLP 16030 Ventura Blvd., Suite 470 Encino California 91436 Telephone: (818) 705-2777 Facsimile: (818) 705-3777</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Jerry Namba, Chapter 7 Trustee</p>		<p>FOR COURT USE ONLY</p>	
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION</p>			
<p>In re:</p> <p>GREG GRISWOLD,</p> <p>Debtor(s).</p>		<p>CASE NO.: 9:18-bk-12140-MB CHAPTER: 7</p>	
		<p>NOTICE OF SALE OF ESTATE PROPERTY</p>	

Sale Date: 04/29/2020	Time: 11:30 am
Location: TELEPHONIC APPEARANCES ONLY - Courtroom 201, 1415 State Street, Barbara, CA	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 04/15/2020

Description of property to be sold: All pre-petition claims and causes of action the Estate holds against Claire Ann Resop n/k/a Claire Ann Richman and Steinhilber & Swanson, LLP (together, "Assignee"), in the action entitled Griswold v. Claire Ann Resop and Steinhilber & Swanson, LLP, pending in the Superior Court State of Wisconsin, as Case No. 18-CV-1902 (the "Action"), including any claims, causes of action, or other rights related thereto, that could have been brought in the Action on the terms set forth in the Assignment of Claims Agreement attached as Exhibit 1 to the Motion.

Terms and conditions of sale: The sale is "AS IS" "WHERE IS" subject to all claims, liens, encumbrances, and other interests, with all faults and without any representation or warranty whatsoever, whether express or implied, including without limitation, without warranty as to merchantability, habitability, or fitness for a particular purpose. Any person making an overbid for the Malpractice Claims shall take them on the same terms and conditions as the Assignee. See Attachment re Overbid Procedures for further details.

Proposed sale price: \$ 10,000.00

Overbid procedure (if any): See Attached Overbid Procedure

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

N/A

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Meghann A. Triplett, Esq.
Margulies Faith, LLP
16030 Ventura Blvd., Suite 470
Encino, CA 91436
Telephone: (818) 705-2777
Email: Meghann@MarguliesFaithLaw.com

Date: 04/07/2020

The sale is subject to overbid and the Trustee seeks approval of the following overbid procedures:

1. Any initial overbid for the assignment of the Estate's interest in the Malpractice Claims must be at least \$13,000 (i.e. \$3,000 above the Assignment Price).
2. In order to bid, the bidding party must: (i) email the Trustee's counsel Meghann A. Triplett, Esq. at meghann@marguliesfaithlaw.com to confirm their intent to bid; and (ii) send a cashier's check in the amount of \$13,000 (the "Minimum Bid Amount") so that it is received by no later than 5:00 p.m. on Friday, April 24, 2020 at the following address:¹

Jerry Namba, Chapter 7 Trustee
c/o Meghann A. Triplett, Esq.
Margulies Faith, LLP
16030 Ventura Blvd., Suite 470
Encino, CA 91436

3. In the event that the Trustee receives multiple overbids, any subsequent overbids must be made to the Bankruptcy Court at the time of the hearing on the Motion and must be made in minimum increments of \$1,000;
4. The successful overbidder must pay to the Trustee by cashier's check the balance of the full purchase price as determined at the hearing so that it is received by the Trustee at the above address within seven (7) calendar days of the hearing on the Motion;
5. Any successful overbidder must take the Malpractice Claims on the same terms and conditions as Assignee and the sale of the Malpractice Claims is "AS IS", "WHERE IS", subject to all claims, liens, encumbrances, and other interests, with all faults and without any representation or warranty whatsoever, whether express or implied, including without limitation, without warranty as to merchantability, habitability, or fitness for a particular purpose;
6. Any person making an overbid for the Malpractice Claims shall be deemed to have made, on their own account, and acknowledge each of the representations made by the Assignee to the Trustee as set for in ¶ 6 of the Agreement (Exhibit 1 to the Motion) and acknowledge each of the following:

(a) The Estate's assignment of the Estate's interest in the Malpractice Claims pursuant to this Agreement is being assigned on an "AS IS", "WHERE IS" basis, subject to all encumbrances, liens, claims, interests, tenancies and restrictions thereon, without recourse of any kind or nature, without any representation or warranty whatsoever, whether express or implied, including no warranty as to functionality, merchantability, habitability, or fitness for a particular purchase.

(b) The Assignee are familiar with the Estate's interest in the Malpractice Claims and have had the opportunity to inspect and conduct their own due diligence with respect to the Estate's interest in the Malpractice Claims prior to entering into this Agreement.

(c) Assignee have had the opportunity to consult with legal counsel of their choice concerning this Agreement, including the meaning of the terms thereof and agrees to be bound to those terms.

and;

7. The Trustee may exercise his discretion to reject a particular overbid that is not both higher and better (based on all the circumstances) than the Assignees' offer or the offer of other overbidders.

¹ Due to the national emergency in response to the outbreak of COVID-19, also known as the Coronavirus, the Trustee has allowed for the Minimum Bid Amount and balance of the purchase price to be paid by any overbidder to the Trustee via U.S. Mail or other delivery method to his office.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
16030 Ventura Blvd., Suite 470, Encino, CA 91436

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 04/07/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

TRUSTEE: Jerry Namba (TR) jnambaepiq@earthlink.net, jnamba@ecf.epiqsystems.com; jnamba@iq7technology.com
ATTORNEY FOR TRUSTEE: Meghann A Triplett Meghann@MarguliesFaithlaw.com, Helen@MarguliesFaithlaw.com;
Vicky@MarguliesFaithlaw.com; Noreen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com
United States Trustee (ND) ustpreion16.nd.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 04/07/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

JUDGE: Hon. Martin R. Barash, U.S. Bankruptcy Court, 21041 Burbank Blvd., Suite 342, Woodland Hills, CA 91367

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

04/07/2020
Date

Helen Cardoza
Printed Name

/s/ Helen Cardoza
Signature